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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PATTERSON, RASHAN OMAR

ART UNIT PAPER NUMBER

2625

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,308

Applicant(s)

KATAOKA, NAOTO

Examiner

Rashan O. Patterson

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/11/2006 have been fully considered but they are not persuasive.

Regarding claims 1 and 16, the applicant states Morikawa fails to teach a receiving means that is capable both of first receiving images of front pages and then receiving images of back pages and receiving images of front pages and back pages alternately. This feature is met with the combination of Morikawa (US 6041165) in view of Ikuo (JP 09352379), wherein Ikuo discloses a receiving means that is capable both of first receiving images of front pages and then receiving images of back pages and receiving images of front pages and back pages alternately (Abstract). Moreover, the applicant states Morikawa fails to teach this in conjunction with, regardless of the receiving order, when images of two pages that are in relationship of a front page and a back page are stored in the image memory the images of the two pages are recorded on both sides of a sheet by the recording unit. It is old and well known in the art that in duplex printing once an obverse image and a reverse image is recorded it is printed on the obverse and reverse sides of a medium. This feature is met in Col. 13 lines 62-66 where in Morikawa states printing can be started in the both side printing mode when at least two pages of image data to be printed on the both sides of a printing sheet are obtained. Although Morikawa does not specifically state "*regardless of the receiving order*" it is obvious that when Morikawa states in the abstract "printing is started in the both sided printing mode *when at least two pages in a front and back relationship with*

each other are received", that the order in which the images are received are irrelevant when determining the when to print. The only determining factor to print on both sides is that when two pages of image data that are in a front and back relationship with each other are received. Therefore claims 1 and 16 stand rejected under Morikawa in view of Ikuo.

Regarding claims 5 and 6, applicant states Shibaki (US 5724492) discloses only a method of postponing photocopying if a photocopiers memory becomes full, until some pages can be printed and memory is cleared. Claims 5 and 6 are disclosed by Shibaki in Col. 8 lines 10-26 wherein, Shibaki discloses the communications terminal device wherein the control unit performs control such that when free space in the image memory is more than a predetermined amount the control unit selects that second control mode (*regular printing*) (Col. 8 lines 24-26: "*If all the images are stored in the memory before it becomes full, these images are copied in a regular manner*"). And when free space is not more than a predetermined amount, the control unit selects the first mode (*partial printing*) (Col. 8 lines 23-24: "*If the memory becomes full again, partial printing is similarly performed*"). Therefore claims 5 and 6 stand rejected under Morikawa in view of Shibaki.

Regarding claims 7-10 and 20, the applicant states Katsumasa (JP 05162008) merely discloses a copying machine capable of filtering out excessive blank pages (see abstract). When copying 2-sided sheets to 1-sided sheets a blank side is encountered, Katsumasa's device declines to read the blank side and thereby saves itself from printing a page that is blank on both sides. Katsumasa does read the blank side

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(Abstract lines 5-6: "*the blank side face is detected by the front side or rear side picture sensors*"), However, claims 7-10 and 20 are still disclosed by Katsumasa in the Abstract as the function is still the same as what is claimed in claims 7-10 and 20. Therefore claims 7-10 and 20 stand rejected under Morikawa in view of Katsumasa.

Regarding claim 15, the applicant states Ikuo (JP 09352379) fails to teach that recording can proceed by recording one side of a sheet, reversing the sheet and then recording the other side of the sheet, regardless of the order in which the images to be recorded are received. It is old and well known in the art that in duplex printing when all the sheets are recorded on one side of a sheet that the sheet is reversed and recorded on the other side of the sheet. This enables the image processing machine to create an image on the obverse and reverse faces of a sheet of paper. Therefore claim 15 stands rejected under Morikawa in view of Ikuo.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa (US 6041165) in view of Ikuo (JP 09352379).

With regards to claims 1 and 16 Morikawa discloses a communication terminal device with both-side receiving function comprising:

A recording unit (copy machine 1) capable of carrying out both side recording (Col. 4 lines 41-47); an image memory (memory unit 30) for storing an image (Col. 3 lines 58-60); and a control unit (100) for performing control by first control mode in which a received image is stored in the memory, and, regardless of the receiving order, when images of two pages that are in relationship of a front page and a back page are stored in the image memory, the images of the two pages are recorded on both sides of a sheet by the recording units (Col 13 lines 62-66; Col 6 lines 4-6, lines 12-14).

Morikawa does not disclose a receiving means for receiving an image wherein said receiving means is capable both of first receiving images of front pages and then receiving images of back pages and receiving images of front and back pages alternately.

Ikuo discloses a receiving means for receiving an image wherein said receiving means is capable both of first receiving images of front pages and then receiving images of back pages and receiving images of front and back pages alternately (Abstract).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa by Ikuo.

The reason for doing so would be to obtain a system by which the transmission/reception of double image data are performed with simple constitution and the capacity of an image-face memory is made small as taught by Ikuo in the abstract.

Therefore it would have been obvious to combine Morikawa with Ikuo in order to obtain the inventions specified in claims 1 and 16.

With regards to claims 2 and 17 Morikawa, as modified by Ikuo, discloses wherein the control controls recording and outputting order, and when images of the two pages that should be recorded next time in accordance with the recording and outputting order are stored in the image memory the control unit makes the recording unit record the images of two pages that should be recorded next time on both sides of a sheet (Col 6 lines 28-46; Col. 13 lines 62-66).

With regards to claims 3, 4 and 18 Morikawa, as modified by Ikuo, discloses wherein the control unit possessing a second control mode in which both-side recording is started after receiving of images of all pages has been completed, and the control unit carried out either the first control mode or the second control mode (Col. 6 lines 4-6, lines 12-14).

Regarding claim 15 Morikawa does not disclose the communication terminal device wherein the recording unit carries out both-side recording sheet by sheet such that after the recording unit records one of the image of the two pages that are in relationship of the front and the back page on one side of the sheet, the recording unit reverses the sheet, and then records the other of the images of the two pages on the other side of the sheet.

Ikuo discloses the communication terminal device wherein the recording unit carries out both-side recording sheet by sheet such that after the recording unit records one of the image of the two pages that are in relationship of the front and the back page

on one side of the sheet, the recording unit reverses the sheet, and then records the other of the images of the two pages on the other side of the sheet (Abstract).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa by Ikuo

The reason for doing so would have been to have an image processing apparatus capable of duplex printing as taught by Ikuo in the abstract.

Therefore it would have been obvious to combine Morikawa with Ikuo in order to obtain the inventions specified in claim 15.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa (US 6041165) in view of Ikuo (JP 09352379) further in view of Shibaki et al. (US 5724490)

Regarding claims 5, and 6 Morikawa, as modified by Ikuo, does not teach the communication terminal device wherein the control unit performs control such that when free space in the image memory is more than a predetermined amount, the control unit selects the second control mode, and when the free space in the image memory is not more than the predetermined amount, the control unit selects the first control mode

Shibaki et al. discloses the communication terminal device wherein the control unit performs control such that when free space in the image memory is more than a predetermined amount, the control unit selects the second control mode, and when the free space in the image memory is not more than the predetermined amount, the control unit selects the first control mode (Col. 8 lines 10-26).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa, as modified by Ikuo, by Shibaki et al.

The reason for doing so would have been to have an image forming apparatus capable of accurately performing a copying operation even if a memory for storing becomes full.

Therefore it would have been obvious to have combine Morikawa, as modified by Ikuo, with Shibaki et al. in order to obtain the invention specified in claims 5 and 6.

5. Claims 7, 8, 9 and 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa (US 6041165) in view of Ikuo (JP 09352379) further in view of Katsumasa (JP 05162008).

Regarding claims 7-10 and 20 Morikawa, as modified by Ikuo, does not teach a communication device where in the second control mode, when a page corresponding to one of images to be recorded on both sides of a sheet does not exist, the other of the images is recorded on one side of the sheet without recording the one of the images

Katsumasa discloses a communication device where in the second control mode, when a page corresponding to one of images to be recorded on both sides of a sheet does not exist, the other of the images is recorded on one side of the sheet without recording the one of the images (Abstract).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa, as modified by Ikuo, by Katsumasa

The reason for doing so would have been to have a communication device where in the second control mode, when a page corresponding to one of images to be recorded on both sides of a sheet does not exist, the other of the images is recorded on one side of the sheet without recording the one of the images as taught by Katsumasa in the abstract.

Therefore it would have been obvious to have combines Morikawa, as modified by Ikuo, with Katsumasa in order to obtain the inventions specified in claims 7-10 and 20.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa (US 6041165) in view of Ikuo (JP 09352379) further in view of Matsubara et al. (US 5920744).

Regarding claim 13 Morikawa, as modified by Ikuo, does not disclose the communication terminal device wherein when images of two pages have been recorded on the both sides of the sheet, the images of the two pages are erased from the image memory.

Matsubara discloses the communication terminal device wherein when images of two pages have been recorded on the both sides of the sheet, the images of the two pages are erased from the image memory (Col. 6 lines 54-59).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa, as modified by Ikuo, by Matsubara

The reason for doing so would have been to save memory space and increase the performance of the image processing apparatus.

Therefore it would have been obvious to combine Morikawa, as modified by Ikuo, with Matsubara in order to obtain the invention specified in claim 13.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa (US 6041165) in view of Ikuo (JP 09352379) further in view of Rikima (US 5918088).

Regarding claim 14 Morikawa, as modified by Ikuo, does not disclose the communication terminal device further including receiving means for receiving an image, wherein when images that includes images of a different size document are transmitted to the communication terminal device, the receiving means receives images of a same size document together.

Rikima discloses the communication terminal device further including receiving means for receiving an image, wherein when images that includes images of a different size document are transmitted to the communication terminal device, the receiving means receives images of a same size document together (Col. 11 line 47 – Col. 13 line 9).

It would have been obvious at the time of the invention for one skilled in the art to modify Morikawa, as modified by Ikuo, by Rikima

The reason for doing so would have been to have the communication terminal device further including receiving means for receiving an image, wherein when images

that includes images of a different size document are transmitted to the communication terminal device, the receiving means receives images of a same size document together as in Col. 11 line 47 – Col. 13 line 9.

Therefore it would have been obvious to combine Morikawa, as modified by Ikuo, with Rikima in order to obtain the invention specified in claim 14.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashan O. Patterson whose telephone number is 571-272-0597. The examiner can normally be reached on Mon - Fri 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROP



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